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Careful review and examination of the subject application are noted and appreciated.

SUPPORT FOR CLAIM AMENDMENTS

Support for the amendments to the claims may be found for example on page 20, lines 1-6 of the specification is filed. Thus, no new matter has been added.

CLAIM REJECTIONS UNDER 35 U.S.C. §112

The rejection of claim 14 under 35 U.S.C. §112, second paragraph, has been obviated by appropriate amendment and should be withdrawn.

CLAIM REJECTIONS UNDER 35 U.S.C. §102

The rejection of claims 1, 3, 7-10, 13, 14 and 16-21 under 35 U.S.C. §102 as being anticipated by Jeannin has been obviated by appropriate amendment and should be withdrawn.

Jeannin discloses commercial detection in audio and visual context based on scene change distances on separator boundaries audio/video recorder with automatic commercial advertisement detection and skip feature (title).

In contrast, claim 1 of the present invention provides a method for preventing a user from automatically advancing an

audio/video signal past marked material, comprising the steps of detecting possible triggering events during encoding of the audio/video signal generating one or more scores of various levels in response to the triggering events, marking a portion of the audio/video signal, in response to the one or more scores and preventing the user from advancing past the marked material during playback in response to the one or more scores. Claim 13 provides similar limitations.

Jeannin does not disclose such limitations. In particular, Jeannin is silent regarding preventing a user from advancing past a marked material during play back in response to the one or more scores. The presently claimed invention detects possible triggering events during encoding, then generates one or more scores in response to the triggering events. The claimed method then marks a portion of the audio/video signal in response to the one or more scores. Since the portions of the video are marked during encoding, the present invention may then prevent the user from advancing past the marked material during playback in response to the one or more scores. Jeannin is silent regarding such a preventing step. Therefore, Jeannin does not disclose or suggest the generic element of the presently claimed invention and the rejection should be withdrawn.

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CLAIM REJECTIONS UNDER 35 U.S.C. §103

The rejection of claim 2 under 35 U.S.C. §103 over Jeannin in view of Tada et al. is respectfully traversed should be withdrawn. The rejection of claims 4 and 15 under 35 U.S.C. §103 over Jeannin in view of Geer et al., is respectfully traversed. The rejection of claims 5, 6 and 11 under 35 U.S.C. §103 over Jeannin in view of Peliotis et al. is respectfully traversed and should be withdrawn. The rejection of claim 12 under 35 U.S.C. §103 over Jeannin in further view of Dimitrova '104 is respectfully traversed and should be withdrawn.

Each of the dependant claims depends, either directly or indirectly, from independent claims, which are now believed to be allowable.

As such, the presently claimed invention is fully patentable over the cited reference and the rejection should be withdrawn.

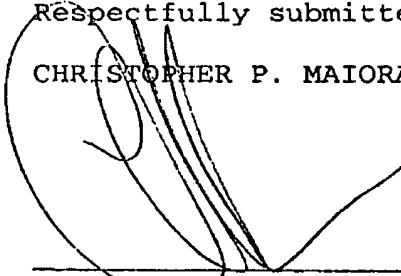
Accordingly, the present application is in condition for allowance. Early and favorable action by the Examiner is respectfully solicited.

The Examiner is respectfully invited to call the Applicants' representative at 586-498-0670 should it be deemed beneficial to further advance prosecution of the application.

If any additional fees are due, please charge Deposit
Account No. 12-2252.

Respectfully submitted,

CHRISTOPHER P. MAIORANA, P.C.

A handwritten signature in black ink, appearing to be 'Christopher P. Maiorana', written over a horizontal line.

Christopher P. Maiorana
Registration No. 42,829

Dated: November 9, 2006

c/o Henry Groth
LSI Logic Corporation
1621 Barber Lane, M/S D-106 Legal
Milpitas, CA 95035

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